## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

SHARI K. THOMPSON,	)
Plaintiff,	) ) 8:06CV530
v.	)
JERRY PETERS, DANA REYMAN, DAVE BORCYK, NORTHERN BORDER PARTNERS, ONEOK, ONEOK PARTNERS, and ENRON CORPORATION,	ORDER ) ) ) )
Defendants.	) ) _ )

This matter is before the court on filing no. 4, the plaintiff's motion to proceed in forma pauperis (IFP). When considering a motion to proceed in forma pauperis ("IFP"), the district court must determine whether the moving party qualifies financially and whether the case is frivolous or malicious. See 28 U.S.C. § 1915 (proceedings in forma pauperis). In this case, the plaintiff has filed an action based on employment discrimination, and the Complaint (filing no.1) is not frivolous or malicious.

However, I find that the plaintiff is not financially eligible to proceed IFP. The plaintiff's financial affidavit indicates that she earns approximately \$3,688 a month and owns a home worth approximately \$229,000. While by no means wealthy, I conclude that the plaintiff has sufficient resources to pay the filing fee without undue hardship. Therefore, I will deny IFP status on the ground that the plaintiff is not financially eligible to proceed IFP.

THEREFORE, IT IS ORDERED:

That filing no. 4 is denied, and the plaintiff shall have until September 11,
 2006 to pay the full \$350 filing fee;

- 2. That in the absence of the filing fee this case will be subject to dismissal; and
- 3. That if the filing fee is paid, the court will instruct the plaintiff regarding service of process on the defendant.

DATED this 9th day of April, 2006.

BY THE COURT:

s/ F.A. Gossett United States Magistrate Judge